IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

Bail Appl..No. 6455 of 2007()

CMP.4472/2007 of J.M.F.C.-I,KOZHIKODE
[CRIME NO.25/2007 OF EXCISE RANGE, KOZHIKODE]

.....

: PETITIONER/2ND ACCUSED

PRAMOD K.K., AGED 35 YEARS,
S/O CHATHU, KURUPPASANKANDI HOUSE,
MADATHIL PARAMBU, P.O.MARYKUNNU,
KOZHIKODE.

BY ADV. SMT.T.KAMALA MENON

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTING
EXCISE INSPECTOR, KOZHIKODE, THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.6455 of 2007

Dated this the 24th day of October 2007

O R D E R

Application for regular bail. The petitioner is the second accused. He faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 3 litres of arrack on 29/8/2007. The petitioner surrendered before the learned Magistrate on 10/10/2007. He continues in custody from that date. An earlier application for anticipatory bail was dismissed by this court as per order dated 12/9/2007 in B.A.No.5525/2007. The learned Public Prosecutor submits that though there was an earlier crime under the Kerala Abkari Act registered against the petitioner, that proceedings have ended in the acquittal of the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) He shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007